

Frank Stilwell

From: Charlene Vaughn [cvaughn@achp.gov]
Sent: Thursday, March 04, 2004 2:52 PM
To: Andrea Williams; Frank Stilwell
Cc: Nancy Schamu (E-mail); Jeffrey Steinberg; Diane Cornell; Javier Marques; John Fowler
Subject: Re: Proposed Language for Industrial & Commercial Areas Categorical Exclusions

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ACHP Industrial &
Commercial e...

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MAR - 5 2004

Hello Andrea:

Federal Communications Commission
Office of the Secretary

I just returned from a morning meeting and reviewed your proposal. I am providing alternate language which I believe can more realistically be applied in the field. This language is not dependent upon zoning or local designations. Further, it recognizes that when malls or industrial facilities are located within or adjacent to historic properties this exclusion doesn't apply. Finally, our biggest concern is about constructing large towers that loom over an area and dramatically stand out in the view shed, even though they are located within a mall or industrial park. So we are want it to be clear that there are height limitations attached to this exclusion. When taller towers are proposed, such projects will need to undergo the review process outlined in the PA.

Since time is of the essence, please get back to me as soon as possible so that the ACHP can decide whether we want to insert such an exclusion.

Andrea Williams wrote:

> <<Industrial & Commercial Area Proposed Language.doc>>
 >Dear Nancy & Charlene:
 >
 >Attached for your review and consideration is CTIA's proposed language
 >for the industrial and commercial area categorical exclusions. I appreciate your
 >willingness to revisit this issue and seriously consider the proposed language. Charlene,
 >I hope you have received the detailed voice mail message that I left for you indicating
 >that I would provide proposed language in response to ACHP's invitation to consider
 >industry's view on the rights of way and industrial/commercial areas categorical
 >exclusions.
 >
 >You will find that the language is similar to Sprint's proposal re: ROW
 >corridors, except it also addresses those circumstances in which a
 >government may not have officially designated industrial and
 >commercial areas for siting communications towers, but the areas are
 >so clustered with industrial and commercial buildings and structures,
 >e.g., shopping mall, industrial plants, etc., that a tower or antenna
 >would not have a significant adverse effect.
 >
 >Please give me a call after you have had an opportunity to review so
 >that we can discuss. You can reach me on my cellphone at (202)
 >255-6810.
 >
 >Thanks again!
 >
 >Best regards,
 >
 >Andrea
 >Andrea D. Williams
 >Assistant General Counsel
 >Cellular Telecommunications & Internet Association
 >(202) 736-3215 (voice) (202) 785-8203 (facsimile)

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SHPO consultation is not required for Facilities that are to be constructed in existing industrial parks, commercial strip malls or shopping centers when such areas are not included in or adjacent to properties listed in or eligible for listing in National Register of Historic Places, or proximity of an NHL, a battlefield or unit of the National Park system, provided:

The height of the proposed Facility is not substantially taller than already existing structures in the industrial park, commercial strip mall, or shopping center.

Tribal consultation is still required for Facilities consulted under this exclusion.